

DUANE MORRIS LLP

Wendy M. Simkulak, Esq. (WS-8945)

1540 Broadway, 14th Floor

New York, NY 10036-4086

(212) 692-1000 (Telephone)

(212) 692-1020 (Facsimile)

and

Catherine B. Heitzenrater, Esq. (PA 205597)

(admitted *pro hac vice*)

Elisa M. Hyder, Esq. (PA 328054)

30 South 17th Street

Philadelphia, PA 19103-4196

(215) 979-1000 (Telephone)

(215) 979-1020 (Facsimile)

Counsel for the Chubb Companies

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X	:	
	:	
In re	:	Chapter 11
	:	
SEARS HOLDINGS CORPORATION, et al.,	:	Case No. 18-23538 (SHL)
	:	
Debtors.¹	:	(Jointly Administered)
	:	
-----X		

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are as follows: Sears Holdings Corporation (0798); Kmart Holding Corporation (3116); Kmart Operations LLC (6546); Sears Operations LLC (4331); Sears, Roebuck and Co. (0680); ServiceLive Inc. (6774); SHC Licensed Business LLC (3718); A&E Factory Service, LLC (6695); A&E Home Delivery, LLC (0205); A&E Lawn & Garden, LLC (5028); A&E Signature Service, LLC (0204); FBA Holdings Inc. (6537); Innovel Solutions, Inc. (7180); Kmart Corporation (9500); MaxServ, Inc. (7626); Private Brands, Ltd. (4022); Sears Development Co. (6028); Sears Holdings Management Corporation (2148); Sears Home & Business Franchises, Inc. (6742); Sears Home Improvement Products, Inc. (8591); Sears Insurance Services, L.L.C. (7182); Sears Procurement Services, Inc. (2859); Sears Protection Company (1250); Sears Protection Company (PR) Inc. (4861); Sears Roebuck Acceptance Corp. (0535); SR – Rover de Puerto Rico, LLC (f/k/a Sears, Roebuck de Puerto Rico, Inc.) (3626); SYW Relay LLC (1870); Wally Labs LLC (None); SHC Promotions LLC (9626); Big Beaver of Florida Development, LLC (None); California Builder Appliances, Inc. (6327); Florida Builder Appliances, Inc. (9133); KBL Holding Inc. (1295); KLC, Inc. (0839); Kmart of Michigan, Inc. (1696); Kmart of Washington LLC (8898); Kmart Stores of Illinois LLC (8897); Kmart Stores of Texas LLC (8915); MyGofer LLC (5531); Rover Brands Business Unit, LLC (f/k/a Sears Brands Business Unit Corporation) (4658); Sears Holdings Publishing Company, LLC. (5554); Sears Protection Company (Florida), L.L.C. (4239); SHC Desert Springs, LLC (None); SOE, Inc. (9616); StarWest, LLC (5379); STI Merchandising, Inc. (0188); Troy Coolidge No. 13, LLC (None); BlueLight.com, Inc. (7034); Sears Brands, L.L.C. (4664); Sears Buying Services, Inc. (6533); Kmart.com LLC (9022); Sears Brands Management Corporation (5365); and SRe Holding Corporation (4816). The location of the Debtors' corporate headquarters is c/o M-III Partners, LP, 1700 Broadway, 19th Floor, New York, NY 10019.

CERTIFICATE OF SERVICE

I, Wendy M. Simkulak, certify that I am not less than 18 years of age, and that, on the date set forth below, I caused a true and correct copy of the foregoing *Reply of the Chubb Companies in Support of Motion of the Chubb Companies for Entry of an Order (I) Ruling that Default Judgment, Settlement Agreements and State Court Orders Are Void Ab Initio Pursuant to 11 U.S.C. §§ 105(a) and 362(a) and Without Effect; and (II) Granting Related Relief* to be filed and served via CM/ECF on all parties registered to receive electronic notification in this case and via electronic mail and first class mail, postage prepaid, to the parties set forth on the attached service list, unless otherwise noted.

Under penalty of perjury, I declare that the foregoing is true and correct.

Dated: November 1, 2022

/s/ Wendy M. Simkulak
Wendy M. Simkulak, Esq.

SERVICE LIST

Via Federal Express

Chambers of the Honorable Judge Sean H. Lane
United States Bankruptcy Court for the Southern District of New York
300 Quarropas Street, Room 248
White Plains, New York 10601

Via First Class Mail

c/o Sears Holdings Corporation
3333 Beverly Road Hoffman Estates IL 60179
Attn: Stephen Sitley Esq., and Luke J. Valentino, Esq.
The Debtors

Shelley S. Hawkins
22221 32nd Ave SE
Bothell, WA 98021
Plaintiff

Edwin Miguel
17805 29th Drive SE
Bothell, Washington 98012

Via First Class Mail and Electronic Mail

Law Offices of Terence F. Traverso, PS
1408 140th Place NE, Suite 140
Bellevue, WA 98007
Attn: Terence F. Traverso
assistant1@traversolaw.com
Attorney for Plaintiff

Foster Garvey P.C.
1111 Third Avenue, Suite 3000
Seattle, WA 98101
Attn: Dan Youngblut
dan.youngblut@foster.com
Attorney for Plaintiff

Malcolm Law Firm PLLC
8201 164th Ave. NE, Suite 200
Redmond, WA 98052
Attn: Sean B. Malcolm
sean@kirklandtriallawyer.com
Attorney for Mr. Edwin Miguel

Weil, Gotshal & Manges LLP

767 Fifth Avenue

New York, New York 10153

Attn: Ray C. Schrock, P.C., Jacqueline Marcus, Esq., Garret A. Fail, Esq., and Sunny Singh, Esq.

ray.schrock@weil.com

garrett.fail@weil.com

jacqueline.marcus@weil.com

sunny.singh@weil.com

Counsel to the Debtors

Office of the United States Trustee for Region 2

201 Varick Street, Suite 1006

New York, New York 10014

Attn: Paul Schwartzberg, Esq.

paul.schwartzberg@usdoj.gov

U.S. Trustee

Skadden, Arps, Slate, Meagher & Flom LLP

4 Times Square

New York, NY 10036

Attn: Paul D. Leake, Esq., Shana A. Elberg, Esq., and George R. Howard, Esq.

paul.leake@skadden.com

shana.elberg@skadden.com

george.howard@skadden.com

Counsel for Bank of America, N.A., administrative agent under the First Lien Credit Facility and the DIP ABL Agent

Davis Polk & Wardell LLP

450 Lexington Avenue

New York, NY, 10017

Attn: Marshall S. Huebner, Esq. and Eli J. Vonnegut, Esq.

marshall.huebner@davispolk.com

eli.vonnegut@davispolk.com

Counsel for Citibank, N.A., as administrative agent under the Stand-Alone L/C Facility

Cleary, Gottlieb

One Liberty Plaza, New York, NY, 10006

Attn: Sean A. O'Neal, Esq.

soneal@cgsh.com

Counsel for JPP, LLC, as agent under the Second Lien Credit Facility, IP/Ground Lease Term Loan Facility, and the Consolidated Secured Loan Facility

Kelley Drye & Warren LLP

101 Park Avenue, New York, NY 10178

Attn: Eric R. Wilson, Esq., Benjamin D. Feder, Esq., and T. Charlie Liu, Esq.

ewilson@kelleydrye.com

bfeder@kelleydrye.com
cliu@kelleydrye.com

Counsel for Computershare Trust Company, N.A., as trustee for the Second Lien PIK Notes, the Holdings Unsecured PIK Notes, and the Holdings Unsecured Notes

Seyfarth Shaw LLP
620 Eighth Avenue
New York, NY 10018

Attn: Edward M. Fox, Esq.
emfox@seyfarth.com

Counsel for Wilmington Trust, National Association, as indenture trustee for the Second Lien Notes

Carter Ledyard & Milburn LLP
2 Wall Street, New York, NY 10015

Attn: James Gadsden, Esq.
gadsden@clm.com

Counsel for The Bank of New York Mellon Trust Company, as successor trustee for the SRAC Unsecured PIK Notes, SRAC Unsecured Notes, and the SRAC Medium Term Notes

Locke Lord LLP
111 South Wacker Drive, Chicago, IL 60606

Attn: Brian A. Raynor, Esq.
braynor@lockelord.com

Counsel for the Pension Benefit Guaranty Corporation

Akin Gump Strauss Hauer & Feld LLP
One Bryant Park, New York, NY 10036

Attn: Philip C. Dublin, Esq., Ira Dizengoff, Esq., and Sara Lynne Brauner, Esq.
pdublin@akingump.com

idizengoff@akingump.com
sbrauner@akingump.com

Counsel for the Official Committee of Unsecured Creditors